

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case Number: 04-72180

v.

JUDGE PAUL D. BORMAN
UNITED STATES DISTRICT COURT

ELI HARVEY,

Defendants.

_____ /

ORDER:

(1) CANCELING HEARING PURSUANT TO LOCAL RULE 7.1;
(2) STRIKING PLAINTIFF'S BRIEF IN SUPPORT OF SUMMARY JUDGMENT
(DOCKET NO. 27) AND PLAINTIFF'S REPLY (DOCKET NO. 31); AND
(3) REQUIRING PLAINTIFF TO RE-SUBMIT ITS BRIEF IN SUPPORT OF
SUMMARY JUDGMENT AND REPLY BRIEF IN CONFORMITY WITH LOCAL
RULE 5.1

The parties are hereby notified that the hearing on Plaintiff's Motion for Summary Judgment, scheduled for Thursday, October 26, 2006 at 3:00 p.m. before Judge Paul D. Borman, is CANCELED. The Court will decide the motion on the briefs pursuant to Local Rule 7.1.

Additionally, the Court hereby STRIKES Plaintiff's Brief in Support of Summary Judgment (Docket No. 27) and Plaintiff's Reply Brief (Docket No. 13), pursuant to Local Rule 5.1. According to LR 5.1, each paper presented for filing must be "double-spaced" and written in twelve (12) point font. Further, each page of a paper presented for filing must be "numbered consecutively." Plaintiff's Brief in Support of Summary Judgment and Plaintiff's Reply Brief are not paginated. Accordingly, Plaintiff's Brief in Support of Summary Judgment and Plaintiff's Reply Brief are STRICKEN from the record.

The Court orders Plaintiff to RE-SUBMIT its Brief in Support of Summary Judgment and Plaintiff's Reply Brief in conformity with LR 5.1 within seven (7) days of this order.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: October 20, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on October 20, 2006.

s/Denise Goodine
Case Manager